

## **Minutes of Fairview City Council Meeting, Tuesday, April 26, 2016**

Minutes of Fairview City Council Meeting held on Tuesday, April 26, 2016, at 7:30 p.m. at 85 South State Street, City of Fairview, County of Sanpete, State of Utah.

Mayor Jeff Cox called the meeting to order at 7:31 p.m. Councilmembers present were Bawb Nielsen, Casey Anderson, Cliff Wheeler, Kaelyn Sorensen, and Bob St. Jacques. City employees present were Dave Taylor, Willy Rivera, Kammy Tucker, Greg Sorensen, and Jan Anderson. Citizens present were Kyler Swapp, Jim Cheney, Erin Anderson, Milette MaKay, Nicole Christensen, Ramon and Erma Lee Aaron, Gary Nielson, Mark McIff, Robert Boren, Matt Sorensen, Lee R. and Janeen Sorensen, Ted Olsen, Jared Livingston, and Rae Lohmeyer.

Councilman Cliff Wheeler offered the invocation and led the Pledge of Allegiance.

### **APPROVAL OF MINUTES:**

Councilman Casey Anderson asked that a change be made in the Creation of a Power Board to power committee. Councilman Casey Anderson moved **to approve the minutes from March 24, 2016, as amended.** Councilman Bawb Nielsen seconded the motion, the voting was unanimous in favor of.

### **PUBLIC HEARINGS/APPEARANCES/COMMUNICATIONS:**

Kyler Swapp – Waive Fee for Use of Dance Hall, May 21, 2016, Fundraiser to Play Football in Australia. Kyler came before the Council asking if they would be willing to waive the fee for fundraiser dinner. He has been asked to go play football in the down under tournament in Australia. He would like to have a big banquet to raise money for this trip. Need to clean up after. Councilman Cliff Wheeler asked if they are required to leave a \$500 cleaning deposit. The answer was yes. They will need to clean up after the event. Councilman Bob St. Jacques moved **to waive the dance hall fee for Kyler Swapp.** Councilman Kaelyn Sorensen seconded the motion. The voting was unanimous in favor of.

Lee R. Sorensen – Stop Sign Request on 100 North 200 East. Lee R. lives on this corner. There is a lot of traffic that frequents this corner running from east to west and north to south and vice versa. Fairview Height residents use 100 North to get to their homes. The church building on 100 North and 100 East creates a lot of traffic on this particular corner. There has been more than one accident on this particular corner. He would like to have the Council consider placing a 4-way stop sign on the corner. A traffic survey will need to be done. This can be done by one of the officer's at the Sheriff's office. Dave Taylor will make contact with the Sheriff's Office to set up a time when he can come. Councilman Bob St. Jacques moved **to proceed with the traffic study and depending the outcome place a stop sign on the corner of 100 North 100 East.** Councilwoman Kaelyn Sorensen seconded the motion. The voting was unanimous in favor of.

Erin Anderson – Sweet Summer Time Festival Update. Erin came before the Council updating on the progress of the Summer Time Festival. It will be held June 11<sup>th</sup>. She is planning on having a baby contest, dutch-oven cook off, horse demonstrations, swing dancing, water games, and etc. She would like to get approval to hang her banner across state street advertising her event. She will get with Greg Sorensen from the City

to see what all she needs to have the banner hung. She was reminded that she will need to provide insurance.

Nicole Christensen – Autism Awareness. The Council received a letter from Nicole. In the letter there were ideas on how to include children with disabilities in events. For instance, the Easter-egg hunt, consider setting a different area or time aside for children in wheel chairs who have Downs Syndrome or Autism or any other specials needs. Try to involve these kids in the 24<sup>th</sup> of July parade. Set aside a time for these children to meet Santa Clause when there is not a big crowd which can overwhelm them. And, allow the parents to come together once a month to kick a ball around at the park. This does not need to be organized sports, but where parents can bring their kids so that they can do an activity together-- she suggested that these type of events be allowed to go in the Focus to let the citizens know about what they have planned. It would be good to incorporate the north-end of the county in these type of events. It was suggested that there may be funds available for these type of events to promote awareness for children with disabilities. Mayor Cox asked that when the City has events to keep these children in mind.

#### **REPORTS/ACTION ITEMS – BOARDS/COMMITTEES/OFFICERS:**

##### Planning Commission.

Rob Borin – Home Occupational Permit (HOP) Approval, 255 N. 400 E., Flooring. Mr. Borin met with the Planning Commission and has met all requirements for a HOP. Councilman Bawb Nielsen moved **to approve the HOP for Robert Borin per recommendation from the Planning Commission.** Councilman Bob St. Jacques seconded the motion. The voting was unanimous in favor of.

Rhea Parry – HOP Approval, 270 N. 100 W. Dress Rental. Ms. Parry met with the Planning Commission and has met all requirements for a HOP. Councilman Cliff Wheeler moved **to approve the HOP for Rhea Parry per recommendation from the Planning Commission.** Councilman Bob St. Jacques seconded the motion. The voting was unanimous in favor of.

Grace Tucker – Lot Split Approval, 285 E. 300 S. Mrs. Tucker met with the Planning Commission and has met all requirement for a lot split. The lot will be 110' by 126'. Councilman Bob St. Jacques moved **to approve the lot split for Grace Tucker.** Councilman Cliff Wheeler seconded the motion. The voting in favor was Cliff Wheeler, Casey Anderson, KaeLyn Sorensen, and Bob St. Jacques. Councilman Bawb Nielsen was not present during this part of the meeting.

Gary Nielsen – Nine-lot Subdivision Approval, 100 W 300 S. Mr. Nielsen owns four and one-half acre parcel on the north corner of 100 West and 300 South. He met with the Planning Commission. This parcel of ground has electric, water, and sewer utilities. All nine lots abut a city street creating the frontage needed to building on. The subdivision has been surveyed and staked out. Councilman Bob St. Jacques moved **to approve the nine-lot subdivision for Mr. Nielsen.** Councilman Cliff Wheeler seconded the motion. The voting was unanimous in favor of.

Maxine Blackburn – Lot Split Approval, 200 E. 300 N. This lot split came before the Planning Commission. This lot is a corner lot and is 135' by 85'. This

parcel of ground can only be split once. It is the recommendation from the Planning Commission to grant this lot split. Councilman Casey Anderson moved **to approve the lot split for Maxine Blackburn**. Councilman Bob St. Jacques seconded the motion. The voting was unanimous in favor of.

Jared Livingston – Storage Unit Approval, 571 North Milburn Road.

Mr. Livingston met with the Planning Commission. They had no objections with the storage units since it was in the commercial zone. He purchased three building lots. He plans on doing this project in three phases. He has outgrown the units he currently owns. He plans on building these units bigger (12x40). His clientele is from out of the area, and they want bigger units to place their trailers, etc. in so that they do not have to transport them back and forth from the city(s). The drainage has been addressed so that the water will drain to the south west. He will have asphalt on the eastside abutting Milburn road and the north and south sides. Councilman Bawb Nielsen moved **to approve the Storage Unit(s) for Jared Livingston**. Councilman Cliff Wheeler seconded the motion. The voting was unanimous in favor of.

Saw Mill Lane Subdivision Amendment Approval. This past summer, this area received substantial rain. The catch pond collected the water but the water did not percolate into the ground the way they thought it would. The water filled within a foot from the top when someone noticed it and put plywood over the catch basin so no more water would come in. If the water would have overflowed, it would have flooded the home of Stan Christensen. Mayor Cox talked with Larry Hansen and both thought it would be in the best interest of both parties to fill in the catch pond and let the water flow throughout the rest of the town following the natural grade. This would eliminate any damage that may occur. All neighbors were notified that the catch pond would be eliminated. This lot then could be used as a standard building lot. Councilman Casey Anderson stated-- ‘wouldn’t all the water then flow into Pat Coates’ house’. The response was ‘when they covered the catch basin, then the water flowed down the road and missed Pat’s house.’ Councilman Bawb Nielsen thought that the catch pond was designed to keep water from running into homeowners’ basements. Councilman Anderson said that when there is a big rainfall, it runs down his street and puddles in front of his house creating a mess until it empties into the open ditch. He is lucky there is a ditch there to collect the water. Eventually the water from the subdivision will flood someone’s basement. It was stated, ‘it is the subdivision’s issue’. If the basin is taken out, then it becomes a liability to the City. If the City allows this basin to be taken out, it create a whole other headache. It was suggested that more research be done on this and come back to City Council with the findings.

Zoning Definition Review. Mayor Jeff Cox asked the Planning Commission to re-evaluate the zoning within the City and come up with definitions for new zones. The Council received a handout with the definitions they created. They have asked the City Council to review their proposed zoning definitions and would like to get their comments.

Power Department

IPA Renewal Contract Amendment. Ted Olsen came and briefed the Council on the Second Amendatory Power Sales Contracts with Intermountain Power

Agency (IPA). There are two resolutions that need to be approved, one is approval to renew the contract, and the second resolution is to sell the excess power back to California. This is an amendment to which we have already sign. You can call the power back anytime you need it and pay for it then. The year has been moved back to 2077. Fairview City is entitled to 0.120 percent.

Recreation Department.

Inter-Local Agreement Approval Regarding Recreation Services and Establishing a Recreation Committee. This agreement is among Mt. Pleasant, Fairview, Spring, City, Moroni, Fountain Green, and Wales. There is no obligation at this time to the cities. This agreement allows for establishing a committee, develop a plan for recreation enhancement, and outline procedures to guide recreation managers in a cooperative effort. Councilman Bob St. Jacques moved **to approve the inter-local agreement approval regarding recreation services and establishing a committee.**

Councilman Bawb Nielsen seconded the motion. The voting was unanimous in favor of.

Mayor Approval to Appoint New Justice Court Judge. Mayor Cox met with three candidates who seeking for the judge position. He would like to recommend Mark McIff as the new Fairview Justice Court judge. Mr. McIff introduced himself to the Council. Councilman Bawb Nielsen moved **to accept the nomination of Mark McIff as the new Fairview Justice Court Judge.** Councilman Bob St. Jacques seconded the motion. The voting as unanimous in favor of. He will start July 2016.

Discussion of Watering Flowers on State Street for Summer. The Council was asked how they wanted to handle the watering of flowers this summer. Do they want to do the same as last year and have Wendie Peterson water them or the City employees? It was decided to have with Wendie Peterson—same as last year.

Water Rate Increase Discussion. Mayor Cox stated that the City definitely needs to look in the raising water rates. With the water situation last year, and if the drought continues, the City will need to look into different water sources. We were going to look into replacing the spring line but with the repairs made, the line should last a few more years. It may be an advantage to the City to drill another well. First off, auto meters need to be installed. It will give options for the future. Financing has been looked into. If the City were to do a \$2 million project the bond payment would be \$50,000 a year. Mayor Cox is looking into lowering the base amount down to 6,000 or 4,000 gallons per month. The current base rate is 8,000 before there is an overage. This avenue makes it so that not all citizens are penalized. Citizen Janeen Sorensen stated that she was confused because the City just approved a nine-lot subdivision, and then in turn you're saying there is not enough water. It was stated that the City needs to have growth to bring in revenue to help subsidies these project. It was also stated that there is enough water but not enough for future growth. City employee Kammy Tucker took a minute and expressed her concerns with lowering the base rate, etc. The goal is to try and replace old meters with auto read meters. All citizens should have a backflow preventer on the meter. It was suggested to raise the rates and leave the base rate the same. More evaluation needs to be done. Not wanting to raise rates tonight. A proposal will need to be brought back to the Council next month.

Update from League of Cities and Towns Conference. Councilman Casey Anderson attended the conference in St. George. It was very informative and a worthwhile conference. Two thoughts he wanted to share-- don't expect the public know everything we know we need to educate them; and we are elected to serve not pad a resume.

Follow up Discussion/Who is Responsible to Implement what is Discussed at Council Meeting. Councilman Casey Anderson stated that there is no follow up after Council Meeting is held. There are good intentions, but no follow through. Assignments need to be made and then a report should be made at the next meeting and report. Specific assignments need to be made. Mayor Cox stated that he will take the agenda to staff meeting and make assignments.

### **INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCE**

Resolution 2016-02R: A Resolution Creating a Power Advisory Committee. Councilman Bawb Nielson moved **to approve the resolution for creating an advisory power committee.** Councilman Casey Anderson seconded the motion. The voting was unanimous in favor of.

Resolution 2016-3R: Approval of, and Authorization to Execute and Deliver, The Renewal Offer Documents. Councilman Casey Anderson moved to approve Resolution 2016-3R. Councilman Cliff Wheeler seconded the motion. The voting was unanimous in favor of.

Resolution 2016-04R: Approval of, and Authorization to execute and Deliver, Agreement for Sale of Renewal Excessive Power. Councilman Casey Anderson moved **to approve Resolution 2016-4R.** Councilman Bob St. Jacques seconded the motion. The voting was unanimous in favor of.

### **COUNCIL REPORTS:**

Mayor Jeff Cox stated he had nothing other than the Council is invited to come and help take the flowers off the graves the week after Memorial day. It will either be the Monday or Tuesday. Erma Lee Aaron asked if she could have the employees put up the banner for the Museum's 50<sup>th</sup> birthday party.

Councilman Bawb Nielsen mentioned that there have been some arrests made in town. Citizens need to be vigilant in reporting things that they see that seem out of place. Our part-time officers are doing a good job.

Councilman Cliff Wheeler stated that on Monday, there are a few people that are going to Centerfield to plant flowers. Anyone is invited to come and help.

Councilman Casey Anderson. UAMPS sent out an invitation to a seminar-- municipal tool kit. It is very very good. It explains how municipal power works and how valuable the system is. He would like to use some of their ideas set some goals with the power committee. He encouraged the Council to put this event on their calendar and make an effort to go to it. You can on-line and find the dates. Trees were planted at the sports park. It is the idea to plant more trees when funds become available.

Councilman Bob St. Jacques did some training with the Planning Commission with the video from the League of Cities and Towns. It was informative. Bob mentioned

